

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

PATRICK BEAUCHAMP,

Defendant.

CR-15-02-GF-BMM-JTJ

ORDER

United States Magistrate Judge John Johnston entered Findings and Recommendations in this matter on January 30, 2019. (Doc. 188). Neither party filed objections. When a party makes no objections, the Court need not review *de novo* the proposed Findings and Recommendations. *Thomas v. Arn*, 474 U.S. 140, 153-52 (1986). This Court will review Judge Johnston's Findings and Recommendations, however, for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981).

Judge Johnston conducted a revocation hearing on January 30, 2019. The United States alleged that Defendant Beauchamp violated the conditions of his supervised release by: 1) by interacting with a person convicted of a felony without first obtaining the permission of his probation officer; 2) by failing to report for substance abuse testing; 3) by failing to report for substance abuse treatment; 4) by failing to maintain full-time employment; and 5) by using controlled substances. (Doc. 181 at 2-3). Beauchamp admitted to the alleged violations. (Doc. 188). The violations prove serious and warrant revocation of Beauchamp's supervised release.

Judge Johnston has recommended that the Court revoke Beauchamp's supervised release and commit Beauchamp to the custody of the Bureau of Prisons for six (6) months. *Id.* Judge Johnston further has recommended that supervised release follow his custody period for six (6) months to be served at a Residential Re-Entry Center. *Id.*

The Court finds no clear error in Judge Johnston's Findings and Recommendations. Beauchamp's violations represent a serious breach of the Court's trust. A custody term of six (6) months with six (6) months of supervised release to be served at a Residential Re-Entry Center to follow is sufficient but not greater than necessary.

Accordingly, **IT IS ORDERED** that Judge Johnston's Findings and Recommendations (Doc. 188) are **ADOPTED IN FULL**.

IT IS FURTHER ORDERED that Defendant Patrick Beauchamp receive a custody sentence for six (6) months, followed by six (6) months of supervised release to be served at a Residential Re-Entry Center.

DATED this 20th day of February 2019.



Brian Morris
United States District Court Judge